S. R. A.—B. E. P. Q. 159 Issued September 1944

United States Department of Agriculture

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

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SERVICE AND REGULATORY ANNOUNCEMENTS

APRIL–JUNE 1944

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENT RELATING TO FLAG SMUT QUARANTINE (NO. 59)

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Flag Smut

AMENDMENT OF FLAG SMUT QUARANTINE (NO. 59)

INTRODUCTORY NOTE

Because of a temporary national shortage of feedstuffs and rail transportation, increased importations of feedstuffs have become necessary. Australia being one of the immediate sources of supply for which water transportation is available, it is proposed as an emergency measure to modify the existing prohibition against

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the importation of wheat from Australia contained in 7 C. F. R. § 319.59 [Flag Smut Quarantine, No. 59], by permitting the importation of this product by an agency of the Federal Government, under conditions prescribed for the purpose of preventing the danger of flag smut introduction into important wheat areas. Such importation will be limited to six boatloads and to a period not to extend beyond November 30, 1944; the imported wheat will be obtained in southern Australia where, according to available information, flag smut has not been reported since 1941; and entry and distribution will be allowed for feed purposes only, and confined within the area in southern California where wheat is not an important crop.

AMENDMENT NO. 1 TO FLAG SMUT QUARANTINE

(QUARANTINE NO. 59)

Authority: §§ 319.59 to 319.59–7 issued under sec. 7, 37 Stat. 317; 7 U. S. C. 1940 ed. 160.

Pursuant to the authority conferred on the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 160), the subpart entitled "Flag Smut" of Part 319, Chapter III, Title 7, of the Code of Federal Regulations [§ 319.59; B. E. P. Q.—Q. 59] is hereby amended, effective immediately, by adding, at the end of said subpart the following:

> *Provided*, That this prohibition shall not apply to a quantity of wheat, not to exceed six boatloads, to be imported from southern Australia, through the port of Los Angeles, Calif., by an agency of the Federal Government on or before November 30, 1944, at a rate not exceeding two boatloads per month, for milling at Los Angeles, Calif., and utilization thereafter for feed purposes within the area of the State of California south of and including the counties of Santa Barbara, Ventura, Los Angeles, and a line extended eastward through San Bernardino County from the northern borders of Ventura and Los Angeles Counties. Such importation, milling, distribution, and utilization of this Australian wheat shall be carried out in compliance with the regulations promulgated supplemental to this quarantine.

Regulations Governing the Entry of Australian Wheat Into Southern California

§ 319.59–1. *Applications for and issuance of permits.*—Upon receipt of an application, giving the name and address of importer, country and locality of origin, United States port of entry, approximate quantity to be imported and approximate date of arrival, a permit will be issued authorizing the importation of Australian wheat through the port of Los Angeles, Calif., during the period from the effective date hereof until November 30, 1944. Permits will be issued subject to the restrictions and requirements set forth in §§ 319.59–2 to 319.59–7.

§ 319.59–2. *Notice of arrival.*—A notice of arrival shall be submitted with each shipment entered at said port on forms provided for the purpose (Form EQ–368).

§ 319.59–3. *Inspection and treatment.*—Each shipment shall be subject to such inspection as may be necesary to determine its freedom from injurious insects and plant diseases, and to such treatment as may be necessary in connection with pests found present.

§ 319.59–4. *Safeguards governing unloading and handling at dock.*—Unloading and handling at the dock shall be under the supervision of an inspector of the Bureau of Entomology and Plant Quarantine, and shall be subject to such safeguard and cleanliness requirements as he may prescribe.

§ 319.59–5. *Wheat may be ground in approved mills only.*—Wheat shipments shall be moved from the dock only to specified, approved mills within the limits of the port for grinding. Movement from dock to mill shall be under the supervision of an inspector of the Bureau of Entomology and Plant Quarantine and shall be carried out in such manner and under such safeguards as he may require.

§ 319.59–6. *Identity of product to be maintained.*—The wheat shall be ground to such state of fineness as will fit it for feeding purposes, and the identity of the product shall be maintained after grinding by marking, certification, or otherwise as the inspector may require.

§ 319.59–7. *Distribution for consumption safeguarded by permit.*—Distribution from the mill into consumption within the specified area shall be made under

permit issued under such conditions as will insure that the product does not leave the specified consumption area.

Done at the city of Washington this 9th day of June 1944.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[Copies of the foregoing amendment were sent to American Diplomatic and Consular Officers in Australia through the Department of State, and to the collector of customs at Los Angeles through the Treasury Department.]

[Filed with the Division of the Federal Register, June 12, 1944, 11:26 a. m.; 9 F. R. 6389.]

ANNOUNCEMENTS RELATING TO JAPANESE BEETLE QUARANTINE (NO. 48)

INSTRUCTIONS TO POSTMASTERS RE REVISION OF QUARANTINE AND REGULATIONS EFFECTIVE MARCH 30, 1944

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington 25, D. C. June 28, 1944.

POSTMASTER:

MY DEAR SIR: Inclosed is a copy of a revision of plant quarantine and regulations, Order No. 48, issued by the United States Department of Agriculture on account of the Japanese beetle, effective March 30, 1944, adding to the regulated area parts of Allegany and Washington Counties, Maryland, and the cities of Princeton and Williamstown, West Virginia, and including in what is regarded as the heavily infested area, the borough of West Leesport, Berks County, Pa.

This revision supersedes the quarantine issued effective February 12, 1941, the regulations of March 24, 1942, as amended effective January 14, 1943, and circulars B. E. P. Q. 527, effective April 26, 1943, and B. E. P. Q. 394, revised, effective July 20, 1942. You will please be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

INSTRUCTIONS TO POSTMASTERS RE ARTICLES EXEMPT FROM CERTIFICATION[1]

Referring to plant quarantine order No. 48 on account of the Japanese beetle, notice is given to postmasters in the regulated area in the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, that effective March 30, 1944, the following articles, the interstate movement of which is not considered to constitute a risk of Japanese beetle dissemination, are exempted from the restrictions of the regulations of this quarantine:

Nursery stock: Under this classification the following articles are exempted:

True bulbs, corms, and tubers, when dormant, except for storage growth, and when free from soil.

Single dahlia tubers or small dahlia root-divisions when free from stems, cavities, and soil.

(Dahlia tubers, other than single tubers or small root-divisions meeting these conditions, require certification.)

Orchid plants when growing exclusively in Osmunda fiber.

Trailing arbutus, or Mayflower (*Epigaea repens*), when free from soil.

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[1] This notice, published in The Postal Bulletin of June 30, 1944, contains the administrative instructions appearing in B. E. P. Q. 533, published in S. R. A. No. 158, January March 1944, pp. 10–11.

Moss and clubmoss, ground-pine or running-pine, when free from soil.
Soil-free aquatic plants.
Soil-free sweetpotato draws.
Soil-free plant cuttings without roots.
Soil-free rooted cuttings, which, at the time of shipment, have not developed a root system sufficient to conceal larvae of the Japanese beetle.
Cut flowers: Under this classification, cut orchids are exempted.

JAP BEETLE QUARANTINE RESTRICTIONS BEGIN JUNE 12

(Press notice)

JUNE 7, 1944.

Shipments of fruits, vegetables, and cut flowers from the area heavily infested with the Japanese beetle will become subject to restrictions of the Federal quarantine on June 12 and June 26.

On those dates the period of heavy flight of the beetle begins in the different sections. The quarantine regulations are administered by the Bureau of Entomology and Plant Quarantine of the U. S. Department of Agriculture.

Beginning June 12 shippers will need to comply with certification requirements in moving fruits, vegetables, and cut flowers from Tanners Creek District, Norfolk County, Va.; Kempsville District in Princess Anne County, Va.; from the Virginia counties of Accomac and Northampton; from the Maryland counties of Worcester, Somerset, Wicomico, and Dorchester; and from Sussex County, Del.

On June 26 such requirements become effective for the remainder of the heavily infested area comprised of Delaware, the District of Columbia, Arlington County, Va., and parts of Maryland, New Jersey, and Pennsylvania, as described in the quarantine regulations.

The dates were established under administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine, based on seasonal observations, and will remain in effect until further notice. The quarantine requirements as to fruits, vegetables, and cut flowers apply only to interstate movement to points beyond the boundaries of the regulated areas from the smaller, heavily infested areas. They further apply only to unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown or from a distributor, and to fresh fruits and vegetables when shipped by refrigerator car or motortruck only.

Nursery stock and soil are subject to the certification requirements throughout the year when shipped interstate from any regulated area to points outside.

B. E. P. Q. 535

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS DESIGNATING THE DATES WHEN RESTRICTIONS ON FRUIT, VEGETABLE, AND CUT-FLOWER SHIPMENTS SHALL BECOME EFFECTIVE UNDER THE PROVISIONS OF § 301.48–4 (b) OF THE JAPANESE BEETLE QUARANTINE

§ 301.48–4a. Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48–4 (b), Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 48, on account of the Japanese beetle], he having determined when the period of the heavy flight of the adult beetle will begin in the respective localities, it is hereby ordered that the restrictions of §§ 301.48–4 (b) and 301.48–5 relating to the heavily infested areas (§ 301.48–3), and applying to

(a) Unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown, or from a distributor; and

(b) Fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only; shall begin for the present season on the following dates:

(1) On June 12 in the following area:

Virginia: Norfolk County: Magisterial district of Tanners Creek. Princess Anne County: Magisterial district of Kempsville. Entire counties of Accomac and Northampton.

Maryland: Entire counties of Worcester, Somerset, Wicomico, and Dorchester.

Delaware: Sussex County.

(2) On June 26 in the remainder of the heavily infested area.

These restrictions shall remain in effect during the current season until due notice of their discontinuance shall have been given.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 1940 ed. 161; 7 CFR § 301.48–4)

Done at Washington, D. C., this 2d day of June 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Copies of the above circular were sent to all common carriers doing business in or through the area quarantined on account of the Japanese beetle.]

[Filed with the Division of the Federal Register, June 7, 1944, 11:24 a. m.; 9 F. R. 6201.]

ANNOUNCEMENTS RELATING TO MEXICAN FRUITFLY QUARANTINE (NO. 64)

Texas Citrus Fruit Harvest Season Extended Under Modifications of the Mexican Fruitfly Quarantine Regulations

(Press notice)

JUNE 29, 1944.

Grapefruit, sweet limes, and "sour" and "bittersweet" oranges may be harvested for interstate shipment from the regulated area in the lower Rio Grande Valley of Texas from September 1 to the close of June 15 each year, and the commercial varieties of sweet oranges throughout the year, the United States Department of Agriculture said today in announcing a revision of the Mexican fruitfly quarantine regulations which becomes effective July 3, 1944.

The Chief of the Bureau of Entomology and Plant Quarantine is authorized, as in the past, to modify these harvest periods from year to year to meet changing conditions and he may also require sterilization of the fruit before movement interstate, the Department said.

Citrus fruits, when produced under such conditions as to render them free from infestation by the fruitfly, may be shipped interstate from the regulated area under Federal permit except that no restrictions are placed on the interstate movement of lemons and sour limes and no permit is required in shipping these fruits. These modified harvest periods had been authorized for the 1944 season under administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine, issued on September 23, 1943. A fruit-free period between harvests is required to prevent fruitfly infestation.

The new quarantine regulations require that persons operating packing plants for fruit that is to be shipped interstate must obtain packers' permits.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

MEXICAN FRUITFLY QUARANTINE

(QUARANTINE No. 64)

INTRODUCTORY NOTE

The following revision of the Mexican fruitfly quarantine regulations provides for a harvest season for grapefruit, sweet limes, and "sour" and "bittersweet" oranges from September 1 through June 15 of each year for all the regulated area,

and for a year-round harvest season for commercial varieties of sweet oranges, kumquats, tangelos, and all varieties of the mandarin group of oranges.

Under the former regulations the harvest season for fruitfly host fruits closed on April 30 except that the grapefruit harvest in three counties closed on the last day of February.

Persons operating a packing plant for fruit that is to be shipped interstate from the regulated area will now be required to obtain packers' permits, and permits for harvesting citrus fruits may also be required by the inspector.

Circular B. E. P. Q. 472 as revised effective September 25, 1941, specifying the type of sterilization treatments that are authorized, remains in effect.

Applications for permits should be made to the Bureau of Entomology and Plant Quarantine, 503 Rio Grande National Life Building, Harlingen, Tex.

DETERMINATION OF THE SECRETARY OF AGRICULTURE

The Secretary of Agriculture, having determined that it was necessary to quarantine the State of Texas to prevent the spread of an injurious insect known as the Mexican fruitfly (*Anastrepha ludens* Loew), new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated a revision of Notice of Quarantine 301.64, part 301, chapter III, title 7, effective October 15, 1937, and of regulations supplemental thereto, effective October 16, 1939, governing the movement of fruits interstate from the State of Texas.

The Secretary has determined that it is necessary to revise the aforesaid regulations for the purpose of extending the harvesting season and to make other modifications.

ORDER OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the subpart entitled "Mexican Fruitfly" of part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 64 as revised] is hereby revised to read as follows:

SUBPART—MEXICAN FRUITFLY

(QUARANTINE NO. 64)

Authority: §§ 301.64 to 301.64–8 issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 1940 ed. 161.

§ 301.64. *Notice of Quarantine.*—Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the Secretary of Agriculture quarantines the State of Texas to prevent the spread of the Mexican fruitfly (*Anastrepha ludens* Loew). Hereafter no fruits of any variety shall be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved interstate from the said quarantined State in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made or under such modification thereof as may be issued by the Chief of the Bureau of Entomology and Plant Quarantine as hereinafter provided: *Provided*, That the restrictions of this quarantine and of the rules and regulations supplemental thereto or modification thereof as hereinafter provided, may be limited to the areas in the State of Texas now, or which may hereafter be, designated by the Secretary of Agriculture as regulated areas: *Provided further*, That such limitation of the restrictions to the regulated areas shall be conditioned upon the said State providing for and enforcing such control measures with respect to such regulated areas, including the control of intrastate movement of host fruits from such areas, as in the judgment of the Secretary of Agriculture shall be deemed adequate to prevent the spread of the Mexican fruitfly therefrom to other parts of the State: *And provided further*, That, except as to extension or reduction of the regulated area, the Chief of the Bureau of Entomology and Plant Quarantine may modify by administrative instructions any of the restrictions of the regulations supplemental hereto when in his judgment such action is necessary to prevent the spread of the Mexican fruitfly.

Rules and Regulations

MEANING OF TERMS

§ 301.64–1. *Definitions.*—For the purpose of these regulations, the following words shall be construed respectively to mean:

(a) *Mexican fruitfly.*—The insect known as the Mexican fruitfly (*Anastrepha ludens* Loew) in any stage of development.

(b) *Regulated areas.*—The areas in the State of Texas now, or which may hereafter be, designated as such by the Secretary of Agriculture in accordance with the provisos of § 301.64 as revised.

(c) *Host fruits.*—Fruits susceptible to infestation by the Mexican fruitfly, namely, mangoes, sapotas (including sapodillas and the fruit of all members of the family Sapotaceae and of the genus *Casimiroa* and all other fruits commonly called sapotas or sapotes), peaches, guavas, apples, pears, plums, quinces, apricots, mameys, ciruelas, fruit of species of the genus *Sargentia*, and all citrus fruits except lemons and sour limes, together with any other fruits which may later be determined as susceptible.

(d) *Harvesting season.*—A period during which host fruits are permitted to be harvested for shipment interstate.

(e) *Host-free period.*—A period during which no host fruits are produced or permitted to exist within the regulated area except as provided in these regulations or under conditions prescribed by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Inspector.*—An inspector of the United States Department of Agriculture.

(g) *Moved interstate.*—Shipped, offered for shipment to a common carrier received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from the area designated as regulated in the State of Texas into or through any other State or Territory or District.

AREA UNDER REGULATION

§ 301.64–2. *Regulated area.*—In accordance with the provisos to § 301.64 the Secretary of Agriculture designates as regulated area the counties of Brooks, Cameron, Dimmit, Hidalgo, La Salle, Webb, and Willacy in the State of Texas, and that portion of Jim Wells County, Tex., lying south of Highway 141 and a line projected due west to the Jim Wells-Duval County line from the point where Highways 141 and 66 intersect.

INTERSTATE MOVEMENT RESTRICTED

§ 301.64–3. *Restrictions on interstate movement.*—(a) *Permits required for citrus fruits.*—Grapefruit, oranges, and other citrus fruits, except lemons and sour limes, shall not be moved interstate from a regulated area into or through any point outside thereof unless a shipping permit has been issued therefor by the United States Department of Agriculture.

(b) *Movement of noncitrus host fruits prohibited.*—Peaches, apples, pears, plums, quinces, apricots, mangoes, sapotas (see § 301.64–1 (c)), guavas, mameys, ciruelas, and fruits of species of the genus *Sargentia* shall not be moved interstate from the regulated area and no permits will be issued for such movement.

(c) *No restrictions on lemons, sour limes, and manufactured fruit products.*—No restrictions are placed by these regulations on the interstate movement of lemons, sour limes, or products manufactured from host fruits.

(d) *Movement through regulated area.*—No restrictions are placed by these regulations on the interstate movement of restricted fruits from an area not under regulation through a regulated area when such movement is on a through billing.

PERMIT REQUIREMENTS

§ 301.64–4. *Conditions governing the issuance of shipping permits.*—Permits for the interstate movement of grapefruit, oranges, and other restricted citrus fruits from the regulated area may be issued upon determination by the inspector that the proposed movement does not involve risk of spread of the Mexican fruitfly. Such determination will be based on compliance with the following conditions:

(a) *Grove inspection and sanitation.*—The grove in which the fruit was produced shall be maintained in compliance with the host-free requirement provided

in § 301.64–5 (a). The grove shall further be maintained in compliance with such other requirements as may be enforced by the State of Texas for the suppression of Mexican fruitfly infestation. Permits may be issued for the interstate movement of fruit produced only in such groves as have been inspected prior to the harvesting of the fruit concerned and have been found free from Mexican fruitfly infestation: *Provided*, That if a grove or portion thereof from which the fruit is to be shipped is within an infested zone established under § 301.64–5 (b), permits for the interstate shipment of such fruit may be issued only after the fruit has been sterilized or otherwise treated or handled in manner or by methods prescribed by the Chief of the Bureau of Entomology and Plant Quarantine.

(b) *Packing-house requirements.*—Persons desiring to operate a packing plant for the purpose of shipping restricted citrus fruits from the regulated area shall apply for a packer's permit to the Bureau of Entomology and Plant Quarantine, Harlingen, Tex., and agree in writing to operate such plant in compliance with these regulations and the regulations of the Texas State Department of Agriculture, including those applying to sanitation requirements, harvesting, sterilization, packing, and shipping of restricted citrus fruits, and in addition shall maintain and make available for examination by authorized inspectors records of all receipts and sales or shipments of restricted citrus fruits.

(c) *Applications to harvest fruit.*—Persons desiring to harvest citrus fruit within the regulated area for movement to points outside such area may be required to secure harvesting permits when in the judgment of the inspector the requirement of such permits is necessary to prevent the spread of the Mexican fruitfly, and when due notice to that effect has been given by the inspector. Applications for such permits, when required, shall show the kind and quantity of the citrus fruit it is proposed to harvest for movement, the location and ownership of the grove from which it will be harvested, and the location at which it will be packed for shipment. The permit issued by the inspector will include provisions needed to assure compliance with these regulations and the regulations of the Texas Department of Agriculture.

(d) *Containers.*—Shipping permits will be issued for the interstate movement of only such fruit as is packed in containers customarily used in the regulated area for the commercial shipment of citrus fruits, and of such nature as will permit the inspector to identify the contents thereof.

(e) *Sterilization may be required.*—Sterilization of host fruits in manner and by method prescribed by the Chief of the Bureau of Entomology and Plant Quarantine may be required as a condition for the issuance of permits for interstate movement thereof when in his judgment the shipments concerned might involve risk of spread of the Mexican fruitfly.

(f) *Destination limitations.*—Permits may be limited as to destination and when so limited the fruits covered thereby shall not be moved interstate from the regulated area, directly or indirectly, either in the original containers or otherwise, to destinations other than those authorized in such permits, except to the usual diversion points for diversion to authorized destinations only.

(g) *Cancellation of permits.*—Permits issued under these regulations may be withdrawn or canceled and further permits refused, whenever in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such permits might result in the dissemination of the Mexican fruitfly. After any such permit is withdrawn or has expired, the further use of any permit tags issued thereunder is prohibited.

CONTROL MEASURES IN REGULATED AREA

§ 301.64–5. *Conditions required in the regulated area.*—The interstate movement of grapefruit, oranges, and other restricted citrus fruit from the regulated area under permits issued by the United States Department of Agriculture will be conditioned on the State of Texas providing for and enforcing the following control measures in manner and by method approved by the United States Department of Agriculture, namely:

(a) *Harvesting season and host-free period.*—The harvesting season of grapefruit, sweet limes, and "sour" and "bittersweet" oranges produced within the regulated area shall begin on the first day of September each year, and end at midnight on June 15 of the following year. A host-free period for these fruits

shall be maintained each year beginning on the 16th day of June and continuing through the last day of August. The harvesting season of commercial varieties of sweet oranges, kumquats, tangelos, and all varieties of the mandarin group of oranges, shall extend throughout the year: *Provided*, That sterilization may be required as to any citrus fruits as specified in § 301.64–4 (e): *Provided further*, That the harvesting season and the host-free period in any regulated area shall be subject to such modification as to duration as may be authorized by the Chief of the Bureau of Entomology and Plant Quarantine.

Prior to the host-free period each year, all grapefruit, sweet limes, and "sour" and "bittersweet" oranges shall be removed from the trees for destruction, immediate shipment, or storage with adequate protection to prevent infestation, and all noncitrus host fruits shall be removed from the trees and either destroyed or stored with adequate protection to prevent infestation.

Other than those citrus fruits, the harvesting season for which extends throughout the year, no host fruits shall be permitted to remain on the trees within a regulated area at any time during the host-free period except fruit in an immature stage.

(b) *Infested zones.*—Upon the determination of a Mexican fruitfly infestation within a regulated area, which in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine constitutes a risk of spread of such fly, an infested zone to include part or all of one or several groves shall be designated by the State of Texas subject to approval by the United States Department of Agriculture and no host fruits in susceptible stages of maturity produced within such zone shall be shipped interstate except under the conditions specified in the proviso of § 301.64–4 (a).

MARKING AND USE OF PERMIT

§ 301.64–6. *Marking requirements.*—Every crate, box, or other container of host fruit moved interstate under these regulations shall have securely attached thereto a shipping permit issued under the provisions of § 301.64–4, and shall be subject to such other marking as may be required by the inspector.

Each shipment of six or more crates, boxes, or other containers of host fruit moved interstate under these regulations shall, in addition to the shipping permit on each such container, be accompanied by a master permit showing the number of containers and either the license number and destination of the vehicle or the name, number, and destination of the freight car or other carrier, as the case may be.

INSPECTION EN ROUTE

§ 301.64–7. *Inspection in transit.*—Any car, vehicle, basket, box, crate, or other container, moved interstate, which contains or which the inspector has probable cause to believe contains articles the movement of which is prohibited or restricted by these regulations, shall be subject to inspection by inspectors at any time or place.

FRUITS FOR EXPERIMENTAL AND SCIENTIFIC PURPOSES

§ 301.64–8. *Shipment for experimental or scientific purposes.*—Fruits subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of fruits so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

These revised rules and regulations shall be effective on and after July 3, 1944, and shall supersede the rules and regulations promulgated October 10, 1939.

Done at the city of Washington this 29th day of June 1944.

Witness my hand and the seal of the United States Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[Copies of the foregoing revision were sent to all common carriers doing business in or through the State of Texas.]

[Filed with the Division of the Federal Register, June 29, 1944, 3:29 p. m.; 9 F. R. 7291.]

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NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 29, 1944.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), has revised the Mexican fruitfly quarantine rules and regulations effective July 3, 1944. The purposes of the revision are largely to extend the harvest period for grapefruit, sweet limes, and "sour" and "bittersweet" oranges to the close of June 15 each year, and for commercial sweet oranges throughout the year; and to require packers to obtain permits. Copies of the regulations may be obtained from the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington, D. C.

GROVER B. HILL,
Acting Secretary of Agriculture.

[The above notice was published in the Brownsville Herald, Brownsville, Tex., July 19, 1944.]

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington 25, D. C., July 17, 1944.

POSTMASTER.

MY DEAR SIR: Your attention is invited to the inclosed revision of Notice of Quarantine No. 64 on account of the Mexican fruitfly, issued by the United States Department of Agriculture, which became effective July 3, 1944. The revision extends the harvesting season. There are now no restrictions on the interstate movement from the regulated area of lemons, sour limes, and products manufactured from host fruits, but the interstate movement of noncitrus host fruits is prohibited. You will kindly be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

ANNOUNCEMENTS RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

COTTON BOLLWORM QUARANTINE AREA CHANGED

(Press notice)

APRIL 28, 1944.

The finding of pink bollworms in southwestern Louisiana in 1943 after the State had apparently been free of these cotton pests for over 20 years has necessitated an extension of the Federal quarantine to include Cameron and Calcasieu Parishes and part of Jefferson Davis Parish, La., the Secretary of Agriculture announced today. A public hearing to consider such action was held at Memphis on March 1.

The State entomologist of Louisiana established a State quarantine on October 23 to prevent the spread of the pests to other parts of Louisiana and eradicative measures were initiated promptly by the State authorities. Recent infestations were also found in the Coastal Bend of Texas, as well as one additional county, Schleicher, in the known-infested section of western Texas, and the quarantine was accordingly extended to include Schleicher, Brazoria, Calhoun, and Matagorda Counties, and part of Jackson County. Products that may carry the pest are moved from the regulated areas under safeguards to prevent artificial spread.

As a result of suppressive measures applied in cooperation with the States, local agencies, and individuals, no bollworms have been located in recent years in the Texas Panhandle counties of Cochran, Hockley, Bailey, and Lamb, nor

in adjacent Roosevelt County, N. Mex., the Department says, so that these counties are now removed from the regulated area.

The area now under regulation is made up of southern and south-central Arizona and New Mexico, the above-named parishes of Louisiana, and 51 entire Texas counties and parts of four others located in the Panhandle and Big Bend areas on the west, the lower Rio Grande Valley, and the Coastal Bend on the east.

Earlier pink bollworm outbreaks that occurred in southwestern Louisiana and eastern Texas were eradicated by State and Federal action in the period from 1917 to 1922. Incipient infestations located in southern Georgia in 1933 and in the cotton belt of northern Florida in 1932 have also apparently been eradicated, the Department states.

The bollworms are recognized as a menace to cotton production in the United States. The small, whitish, or pinkish caterpillars feed on squares, bolls, and seeds of cotton, reducing the quantity and quality of lint. The adults are small, inconspicuous moths that may move considerable distances, especially when aided by wind currents, and thus spread infestations by natural unpreventable means.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE

[QUARANTINE NO. 52]

INTRODUCTORY NOTE

This revision of the quarantine and regulations is made primarily for the purpose of extending the regulated area to include recently found infestations of the pink bollworm in southwestern Louisiana, the Coastal Bend of Texas, and one county in western Texas; also to release from quarantine an area in the Panhandle of Texas and an adjacent county in New Mexico in which no specimens of the pink bollworm have been taken in recent years. The newly added area is comprised of the Louisiana parishes of Cameron, Calcasieu, and part of Jefferson Davis Parish, and the counties of Brazoria, Calhoun, Matagorda, Schleicher, and part of Jackson County, Tex. The area released from regulation is comprised of Roosevelt County, N. Mex., Cochran and Hockley Counties, Tex., and those parts of Bailey and Lamb Counties, Tex., that were formerly within the regulated area.

The lifting of all restrictions on the interestate movement, from any regulated area, of cotton linters produced from sterilized seed, as previously authorized in circular B. E. P. Q. 493, revised effective October 1, 1942, has been incorporated in the revised regulations as the second proviso of paragraph (a) of § 301.52–4.

DETERMINATION OF THE SECRETARY OF AGRICULTURE

The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Arizona, New Mexico, and Texas to prevent the spread of infestations of the pink bollworm (*Pectinophora gossypiella* Saunders), a dangerous insect new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated a revision of Notice of Quarantine 301.52, part 301, chapter III, title 7, Code of Federal Regulations, and regulations supplemental thereto, governing the movement of carriers of the pink bollworm from any of the above-named States into or through any other State or Territory or District of the United States, §§ 301.52–1 to 301.52–12, inclusive, part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 52, effective March 15, 1939, as amended effective February 10, 1943].

Because of the discovery of substantial infestations of the pink bollworm in Louisiana, the Secretary of Agriculture, having given a further public hear-

ing in the matter, has determined that it is necessary to quarantine the State of Louisiana and to make other changes in the regulated areas and other minor modifications.

ORDER OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the subpart entitled "Pink Bollworm" of part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 52, as revised] is hereby further revised, effective May 1, 1944, to read as follows:

SUBPART—PINK BOLLWORM

[QUARANTINE NO. 52]

AUTHORITY: §§ 301.52 to 301.52–12 issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 1940 ed. 161.

§ 301.52 *Notice of Quarantine.*—Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the Secretary of Agriculture quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of the pink bollworm. Hereafter (1) fresh okra pods; (2) cotton, wild cotton, including all parts of either cotton or wild cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake and meal; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment; shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from the States of Arizona, Louisiana, New Mexico, or Texas into or through any other State or Territory or District of the United States in manner or method or under conditions other than those prescribed in the regulations hereinafter made and amendments thereto: *Provided*, That the restrictions of this quarantine and of the regulations supplemental thereto may be limited to such areas now or which may be hereafter designated by the Secretary of Agriculture as regulated areas, in the quarantined States, as, in his judgment, shall be adequate to prevent the spread of the said pest. Any such limitation shall be conditioned, however, upon the affected State or States providing for and enforcing the control of the intrastate movement of the restricted articles under the conditions which apply to their interstate movement under existing provisions of the Federal quarantine regulations, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further*, That whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental thereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation shall be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

REGULATIONS

MEANING OF TERMS

§ 301.52–1. *Definitions.*—For the purpose of these regulations the following words, names, and terms shall be construed respectively to mean:

(a) *Pink bollworm.*—The insect known as the pink bollworm of cotton (*Pectinophora gossypiella* Saunders), in any stage of development.

(b) *Cotton and cotton products.*—Cotton and wild cotton plants of the genera *Gossypium* and *Thurberia*, and products of these plants, including seed cotton; cottonseed; cotton lint and linters, and all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; gin waste; and all other parts of such plants.

(c) *Seed cotton.*—All forms of cotton lint from which the seed has not been separated.

(d) *Lint.*—All forms of unmanufactured cotton fiber except linters.

(e) *Linters.*—All forms of unmanufactured cotton fiber separated from cottonseed after the lint has been removed.

(f) *Certificate.*—An approved document issued by an inspector evidencing the apparent freedom of restricted articles from the pest.

(g) *Limited permit.*—An approved document issued by an inspector to allow movement of noncertified, restricted articles to or from authorized and designated gins, oil mills, and processing or manufacturing plants. Limited permits will cover all interstate movements of restricted articles while in the process of being made eligible for certification.

(h) *Dealer-carrier permit.*—An approved document issued to persons or firms engaged in ginning, manufacturing, or processing restricted articles for subsequent interstate movement from regulated areas, and to persons or firms moving restricted articles interstate from regulated areas.

(i) *Infestation or infested area.*—Infested by the pink bollworm.

(j) *Moved or movement.*—Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from any regulated area interstate to points outside thereof.

(k) *Inspector.*—An authorized inspector of the United States Department of Agriculture.

AREAS UNDER REGULATION

§ 301.52–2. *Regulated areas.*—The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

Heavily infested areas.—Texas.—Counties of Brewster, Culberson, Jeff Davis, Presidio, and Terrell, and all of *Hudspeth County*, except that part of the northwest corner of county lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½.

Lightly infested areas.—Arizona.—Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County [2] except that part lying west of the western boundary line of range 8 east.

Louisiana.—The entire parishes of Cameron and Calcasieu and that part of Jefferson Davis Parish lying south of the township line between Tps. 8 and 9 S.

New Mexico.—Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, Socorro, and Valencia.

Texas.—Counties of Andrews, Brazoria, Brooks, Calhoun, Cameron, Concho, Crane, Dawson, Dimmit, Duval, Ector, El Paso, Frio, Gaines, Glasscock, Hidalgo, Howard, Irion, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, Loving, Martin, Matagorda, Maverick, Midland, Mitchell, Nueces, Pecos, Reeves, Schleicher, Starr, Sterling, Terry, Tom Green, Upton, Ward, Webb, Willacy, Winkler, Yoakum, Zapata, and Zavala; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of the northwest corner of *Hudspeth County* lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½; that part of *Jackson County* lying south of a line beginning at a point where East Carancahua Creek crosses the Jackson-Matagorda County line; thence southwestward along the East Carancahua Creek and Carancahua Bay to the southeast corner of 2,408-acre tract belonging to L. Ward out of the James Pierce survey; thence west along the south line of the above-described Ward tract to the east line of the James Morgan survey; thence north along the east line of the James Morgan survey about 1,660 varas to the northeast corner of the 1,943-acre league out of the James Morgan survey owned by

[2] Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

the Mrs. Addie Coats' Estate; thence west along the north line of the above-described league owned by the Mrs. Addie Coats' Estate to the left (east) bank of the Lavaca River; thence southward along the left bank of the Lavaca River and Lavaca Bay to the Calhoun-Jackson County line (that part of the line from the East Carancahua Creek and Carancahua Bay to the Lavaca River being the northern boundary of the B. F. Ward School District (No. 15) of Jackson County); and those parts of *Live Oak* and *McMullen Counties* lying west of U. S. Highway No. 281 and south of a line beginning at a point on said highway that is crossed by Long Hollow (which point is approximately 9 miles north of the Live Oak-Jim Wells County line) and extending due west to a point where it intersects the western boundary of McMullen County.

RESTRICTED ARTICLES

§ 301.52–3. *Articles the interstate movement of which is restricted or prohibited.*—(a) *Articles prohibited movement.*—The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake is prohibited.

(b) *Articles authorized interstate movement.*—Seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, cottonseed meal and cake, and okra may be moved interstate from regulated areas only as prescribed herein.

CONDITIONS OF CERTIFICATION

§ 301.52–4. *Conditions governing the issuance of certificates.*—(a) *Cotton lint and linters.*—A certificate may be issued for the interstate movement of cotton lint or linters, either baled or unbaled, originating in a regulated area when they have been ginned in an approved gin and have been passed in bat form between heavy steel rollers set not more than 1/64 inch apart, or have been given approved vacuum fumigation under the supervision of an inspector: *Provided*, That lint produced in a lightly infested area may be given standard or high density compression in lieu of either rolling or fumigation: *Provided further*, That no certificates are required and no restrictions are placed on the interstate movement from any regulated area of cotton linters produced from sterilized seed.

(b) *Cottonseed.*—A certificate may be issued for the interstate movement of cottonseed produced in a regulated area when it has been ginned in an approved gin and has been sterilized under the supervision of an inspector by heat treatment at a required temperature of 150° F. for a period of 30 seconds: *Provided*, That certificates may be issued for interstate movement of sterilized cottonseed originating in heavily infested areas only to contiguous regulated areas for processing in authorized oil mills.

(c) *Cottonseed hulls, cake, and meal.*—Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector.

(d) *Seed cotton.*—The interstate movement of seed cotton will be allowed only from lightly infested areas into contiguous regulated areas for the purpose of ginning for which movement no permit is required.

(e) *Okra.*—Certificates may be issued for the interstate movement of okra under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Movement to contiguous infested area.*—No certificates are required for the interstate movement of restricted articles from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

PERMITS FOR LIMITED MOVEMENT

§ 301.52–5. *Limited permits.*—Limited permits will be issued for the movement of noncertified, restricted articles to such gins, oil mills, or processing or manu-

facturing plants as may be authorized and designated by authority of the Chief of the Bureau of Entomology and Plant Quarantine for manufacturing, processing, or treatment incidental to preparing such products for certification. As a condition of such authorization and designation, operators of gins, oil mills, manufacturing, or processing plants will agree in writing to handle restricted articles as to segregation of processed and nonprocessed products, as to efficient function of processing equipment, as to disposition of waste, as to use of uncontaminated containers of processed products, as to prevention of contamination of processed products, as to the maintenance of identity of regulated and nonregulated products, and to maintain such other sanitary safeguards against the establishment and spread of infestation and to comply with such other restrictions as to the handling and subsequent movement of restricted articles as may be required by the inspector.

ARTICLES ORIGINATING IN NONREGULATED AREA

§ 301.52–6. *Restricted articles originating outside the regulated area.*—Restricted articles originating outside the regulated area may be certified for interstate movement from a regulated area without processing, treatment, or sterilization: *Provided*, That while in the regulated area these products have been handled and stored in such manner as to maintain identity, and to prevent infestation, or contamination with other restricted articles originating in the regulated area.

CLEANING OF CARS, CONTAINERS, AND OTHER COMMODITIES

§ 301.52–7. *Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area.*—When contaminated with cotton or cotton products originating within a regulated area, railway cars, trucks, or other vehicles, cotton bagging, or other containers of cotton, cotton processing machinery, farm household goods, farm equipment, farm products, or any other articles shall not be moved interstate from a regulated area until freed from such contamination to the satisfaction of an inspector, after which cleaning or treatment no certificate or permit will be required except for cotton bagging, or other containers of cotton, and cotton processing machinery.

DEALER-CARRIER PERMITS

§ 301.52–8. *Dealer-carrier permits.*—As a condition of issuance of certificates or limited permits for the interstate movement of restricted articles handled by persons or firms engaged in purchasing, assembling, ginning, processing, or carrying such restricted articles originating or stored in regulated areas, such persons or firms shall make application for a dealer-carrier permit to the Bureau of Entomology and Plant Quarantine, San Antonio, Tex., and agree to maintain an accurate record of receipts and sales, shipments or services, when so required (which record shall be available at all times for examination by an inspector), and agree to carry out any and all conditions, treatments, precautions, and sanitary measures which may be required.

CERTIFICATES MAY BE CANCELED

§ 301.52–9. *Cancelation of certificates.*—Any certificates, limited permits, or dealer-carrier permits issued under these regulations may be withdrawn or canceled and further certificates or permits refused, whenever, in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of the pink bollworm.

TREATMENT METHODS SUBJECT TO CHANGE

§ 301.52–10. *Alternate treatments to be prescribed by the Chief of the Bureau.*—When more effective methods of treatment, processing, or sterilization shall have been developed or when methods of treatment, processing, or sterilization as stipulated in the regulations hereof are found unsatisfactory by the Chief of the Bureau of Entomology and Plant Quarantine, he is authorized to alter them or substitute other requirements.

CERTIFICATION AND MARKING

§ 301.52–11. *General certification provisions and marking and labeling requirements.*—To obtain certificates or limited permits under these regulations application shall be made either to the local inspector, or to the Bureau of Entomology and Plant Quarantine, Federal Building, San Antonio, Tex.[3]

Certificates or permits required under these regulations shall be securely attached to the outside of each container of restricted articles, or, in the case of carlot or bulk shipments by freight, to the waybills or other shipping papers which accompany the shipment. In the case of movement by road vehicle, such certificate or permit shall accompany the vehicle. Each container of restricted articles so moved shall bear such marking and labeling as may be necessary, in the judgment of the inspector, to identify the material.

The United States Department of Agriculture shall not be responsible for any costs incident to inspection or treatment, other than the services of inspectors.

ARTICLES FOR EXPERIMENTAL AND SCIENTIFIC PURPOSES

§ 301.52–12. *Shipments for experimental and scientific purposes.*—Products and articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

This revision of the quarantine and regulations shall be effective on and after May 1, 1944, and shall supersede the quarantine and regulations promulgated March 7, 1939, and amendments thereto.

Done at Washington, D. C., this 27th day of April, 1944.

Witness my hand and the seal of the United States Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

APPENDIX

FIELD HEADQUARTERS AND STATIONS

Applications for certificates or permits may be made to the field project leader, addressing Pink Bollworm Control, Bureau of Entomology and Plant Quarantine, P. O. Box 798, or Room 571 Federal Building (Telephone F-7141-275), San Antonio 6, Tex., or the nearest inspector.

Inspectors may be reached by addressing Pink Bollworm Inspector, Bureau of Entomology and Plant Quarantine, at the following field stations:

ARIZONA

Address	Town	Telephone
P. O. Box 205, 405 North Morrison Street	Casa Grande	274
P. O. Box 262, 628 East Glendale	Glendale	254
202 Security Building	Phoenix	4-4062
P. O. Box 246, 309 Post Office Building	Safford	132
P. O. Box 924, 311 Post Office Building	Tucson	1-960

LOUISIANA

Contact the State Entomologist, Mr. W. E. Anderson, P. O. Box 4153, Capitol Station, Baton Rouge 4, La.

NEW MEXICO

P. O. Box 784, 210 North Canyon Street	Carlsbad	513-W
P. O. Box 549	Las Cruces	298

[3] See Appendix for list of field stations.

TEXAS

Address	Town	Telephone
P. O. Box 482, Beilen & Charles Building	Alice	970
P. O. Box 840, 217 Fuller Building	Alpine	30
P. O. Box 108	Bay City	595
P. O. Box 269, 23 Post Office Building	Big Spring	1564
P. O. Box 109	Brownfield	
843 S. E. Elizabeth Street	Brownsville	327
623 Nixon Building	Corpus Christi	2-7613
P. O. Box 432, 207 West Harriman Street	Edinburg	18
204 U. S. Court House	El Paso	Main-3295
P. O. Box 27	Fabens	54
P. O. Box 592, 423 Embee Building	Harlingen	616
P. O. Box 67, Post Office Building	Lamesa	138-J
P. O. Box 141, 206 Franklin Building	Laredo	930
P. O. Box 888, 712 West First Street	Littlefield	339-W
P. O. Box 1615, 209 Federal Building	Lubbock	5001
P. O. Box 1094, 1308 Chicago Avenue	McAllen	663
P. O. Box 485	Mercedes	
P. O. Box 188, 306 Federal Building	Pecos	57
P. O. Box 264	Port Lavaca	
P. O. Box 928	Presidio	14
P. O. Box 706, 253 South Seventh Street	Raymondville	258
P. O. Box 1107	Robstown	127
P. O. Box 650, 507 Rust Building	San Angelo	6338
P. O. Box 1963, 636 South Sam Houston Street	San Benito	730
P. O. Box 426, 107½ Fourth Street	Weslaco	

[Copies of the foregoing revision were sent to all common carriers doing business in or through the quarantined areas.]

[Filed with the Division of the Federal Register, April 27, 1944, 3:25 p. m.; 9 F. R. 4523.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 27, 1944.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), has revised effective May 1, 1944, the pink bollworm quarantine (Quarantine No. 52) and regulations to include in the regulated area all of Cameron and Calcasieu Parishes and part of Jefferson Davis Parish, La., and all of the Texas counties of Brazoria, Calhoun, Matagorda, Schleicher, and part of Jackson County, Tex.; and to remove from the regulated area the Texas counties of Bailey, Cochran, Hockley, and Lamb. Copies of the revised quarantine and regulations may be obtained from the Bureau of Entomology and Plant Quarantine, Washington, D. C.

GROVER B. HILL,
Acting Secretary of Agriculture.

[The above notice was published in the following newspapers: The Republic, Phoenix, Ariz., May 7, 1944; the Times-Picayune, New Orleans, La., May 5, 1944; the Journal, Albuquerque, N. Mex., May 6, 1944; the Chronicle, Houston, Tex., May 6, 1944.]

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington 25, D. C., May 18, 1944.

POSTMASTER.

MY DEAR SIR: The inclosed copy of a revision of Plant Quarantine Order No. 52 of the United States Department of Agriculture, on account of the pink bollworm, effective May 1, 1944, adds newly quarantined areas in southwestern Louisiana and in parts of Texas and releases from quarantine restrictions other portions of Texas as shown and Roosevelt County, N. Mex. Postmasters in the affected areas will please take notice of the quarantine revision and be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

B. E. P. Q. 493, Third Revision Effective May 1, 1944

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

INTRODUCTORY NOTE

This revision of circular B. E. P. Q. 493 is necessitated by the revision, effective May 1, 1944, of the pink bollworm quarantine and regulations, which removed from the regulated area the counties of Roosevelt, N. Mex., and Cochran, Hockley, and the regulated parts of Bailey and Lamb Counties, Tex. These counties are therefore eliminated from the present revision of the circular as no longer subject to any requirements of the quarantine or administrative instructions thereunder. The lifting of restrictions on cotton linters produced from sterilized seed, as authorized in the previous revision of this circular, effective October 1, 1942, has been incorporated in the current quarantine regulations as a proviso of paragraph (a) of § 301.52–4.

§ 301.52–4b. *Administrative instructions designating the area in which baled cotton lint and products thereof may be moved from certain lightly infested areas in New Mexico and Texas without treatment.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 52, on account of pink bollworm], and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52–4, notice is hereby given that, effective May 1, 1944, all restrictions are hereby waived on the interstate movement of baled cotton lint and products thereof from the following area:

New Mexico: Lea County.

Texas: Counties of Andrews, Concho, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Martin, Midland, Mitchell, Schleicher, Sterling, Terry, Tom Green, Yoakum, and the regulated part of Coke County: *Provided,* (1) That the products have been produced in an authorized oil mill or gin and subsequently protected from contamination, and (2) that a certificate of the United States Department of Agriculture has been obtained and attached to the containers or shipping papers in accordance with the requirements prescribed in § 301.52–11.

These instructions supersede those in circular B. E. P. Q. 493, dated September 28, 1942.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR § 301.52; 7 U. S. C. 1940 ed. 161.)

Done at Washington, D. C., this 12th day of April 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Copies of the above circular were sent to all common carriers doing business in or through the quarantined areas.]

[Filed with the Division of the Federal Register, April 27, 1944, 3:25 p. m.; 9 F. R. 4523.]

ANNOUNCEMENT RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

B. E. P. Q. 503, Fifth Revision, Supplement 1 Effective July 1, 1944

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED—TREATMENTS AUTHORIZED

INTRODUCTORY NOTE

A reconsideration of all available data has shown that the present schedules for methyl bromide fumigation under partial vacuum for the treatment of plants in pots or in soil balls can be safely reduced to a lower level so as to minimize the hazard to plants so treated. Administrative instructions as to this type of treatment of potted or balled plants, as specified in Circular B. E. P. Q. 503, Fifth Revision, which became effective March 27, 1944, are hereby revised accordingly. Treatments by means of methyl bromide fumigation at atmospheric pressures or in solution, as authorized in said circular, remain unchanged.

All authorized treatments are now set forth in the above circular and in the current supplement.

§ 301.72–5c[4] *Administrative instructions.—Treatments authorized.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (*a*) of § 301.72–5, Chapter III, Title 7, Code of Federal Regulations [Regulation 5 of Notice of Quarantine No. 72 on account of the white-fringed beetle], subparagraph (2) of paragraph (a) of § 301.72–5c [page 2 of the mimeographed edition of Circular B. E. P. Q. 503, Fifth Revision] is hereby modified effective July 1, 1944, to read as follows:

(a) *Plants in pots or in soil balls.*

* * * * * * *

(2) *Methyl bromide fumigation under partial vacuum.* (i) Fumigation under partial vacuum equivalent to at least 24.5 inches of mercury may be done with dosage schedules as prescribed below. The vacuum shall be maintained during the entire period. The period of fumigation shall be 1½ hours in all instances.

Soil temperature at least—	*Dosage per 1,000 cubic ft. (pounds)*
40° F.	5
45° F.	4.5
50° F.	4
55° F.	3.5
60° F.	3
65° F.	2.5
70° F.	2.25
75° F.	2.125
80° F.	2

(ii) The soil masses shall not be more than 16 inches in least diameter.

(iii) The soil shall not be puddled or saturated and must be in a condition which in the judgment of the inspector is suitable for fumigation.

(iv) The fumigant-air mixture shall be circulated in the fumigation chamber by means of a fan the first 15 minutes of the exposure period to mix the vaporized fumigant thoroughly with the air in the chamber and to bring it in contact with the surface of the soil balls. The soil balls shall be washed with one or more changes of air at the end of the exposure period.

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[4] Superseding §§ 301.72–5a and b.

(v) A standard vacuum fumigation chamber that can be closed tight and will withstand an external pressure of at least one atmosphere is required. A vacuum pump of sufficient capacity to reduce the pressure within the vacuum chamber to the equivalent of 3 inches of mercury (a 27-inch vacuum at sea level) in not more than 20 minutes is necessary.

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The following paragraphs concerning the effects of methyl bromide, as quoted from circular B. E. P. Q. 503, Fifth Revision, are brought forward as a precaution to persons concerned.

(e) *Disclaimer.* There has not been opportunity to test these treatments on all varieties of plants or produce and in authorizing the movement of potted plants, nursery stock, soil, or produce treated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to plants, produce, or operators.

(f) *Caution.* (1) *Methyl bromide.* (i) Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use gas masks approved by the United States Bureau of Mines for use with methyl bromide, when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(ii) The method for application of methyl bromide described in paragraph (a) provides a closed system in which the operator is not exposed to a dangerous concentration of the gas provided there is no leakage in any exposed portion of the equipment. Extreme care should be exercised to keep all joints of such apparatus tight and replace any defective parts to prevent accident. The operator should avoid getting any liquid methyl bromide on his clothing or his body at any time.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 1940 ed. 161; 7 CFR § 301.72–5)

Done at Washington, D. C., this 20th day of June 1944.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, June 27, 1944, 11:09 a. m.; 9 F. R. 7121.]

ANNOUNCEMENTS RELATING TO POTATO REGULATIONS

B. E. P. Q.—Potato Regulations

Revision of Regulation 7
Effective April 15, 1944

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 321—RESTRICTED ENTRY ORDERS

Subpart—Foreign Potatoes

MODIFICATION OF REGULATIONS GOVERNING THE IMPORTATION OF POTATOES INTO THE UNITED STATES

INTRODUCTORY NOTE

The sole purpose of the present revision of regulation 7 is to add the State of Tamaulipas to the list of Mexican States, listed in Amendment No. 5, from which potatoes may be imported under these regulations.

AMENDMENT NO. 6 TO THE REGULATIONS GOVERNING THE IMPORTATION OF POTATOES INTO THE UNITED STATES

Pursuant to the authority conferred by the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 316; 7 U. S. C. 1940 ed. 159), § 321.8 of the subpart entitled, "Foreign Potatoes" of Part 321, Chapter III, Title 7, Code of Federal Regulations (regulation 7 of the regulations governing the importation of potatoes into the United States, effective March 1, 1922, as amended, effective September 1, 1943), is hereby further amended to read as follows:

§ 321.8 *Special provision for the importation of potatoes from the Dominion of Canada and Bermuda, the States of Chiapas, Guanajuato, Jalisco, Queretaro, San Luis Potosi, Sonora, and Tamaulipas, Mexico, and the Northern Territory of Baja California, Mexico, into the United States.* Potatoes may be imported from the Dominion of Canada and Bermuda into the United States or any of its Territories or Districts, free of any restrictions whatsoever, until otherwise ordered, under the Plant Quarantine Act of August 20, 1912.

Importations from the State of Sonora, Mexico, will be permitted to enter through the ports of Douglas, Naco, and Nogales, Arizona, and such other ports as may be designated in the permit; importations from the States of Chiapas, Guanajuato, Jalisco, Queretaro, San Luis Potosi, and Tamaulipas, Mexico, will likewise be permitted to enter through these ports and, in addition, through the ports of Brownsville, Laredo, Eagle Pass, and El Paso, Tex., and such other ports as may be designated in the permit.

Importations from the Northern Territory of Baja California, Mexico, will be permitted to enter through the ports of Calexico and San Ysidro, Calif., and such other ports as may be designated in the permit.

Importations of potatoes thus authorized entry from Mexico shall be in compliance with the provisions of §§ 321.2 to 321.7 inclusive [Regulations 1 to 6], of the regulations governing the importation of potatoes into the United States.

This amendment shall be effective on and after April 15, 1944.

(Sec. 5, 37 Stat. 316; 7 U. S. C. 1940 ed. 159; 7 CFR § 321.1)

Done at the city of Washington this 6th day of April 1944.

Witness my hand and the seal of the United States Department of Agriculture.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[Copies of the foregoing amendment were sent to American Diplomatic and Consular Officers in Bermuda, Canada, and Mexico, through the Department of State.]

[Filed with the Division of the Federal Register, April 7, 1944, 11:19 a. m.; 9 F. R. 3761.]

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

PLANT QUARANTINE ACT—IMPORTATION OF POTATOES

REGULATIONS GOVERNING THE IMPORTATION OF POTATOES INTO THE UNITED STATES, AS AMENDED (T. D. 38695, T. D. 39211, T. D. 44162, T. D. 48693, T. D. 50889 AND T. D. 50924), FURTHER AMENDED (T. D. 51054)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., May 5, 1944.

To Collectors of Customs and Others Concerned:

The appended copy of amendment No. 6 to regulation 7 of the rules and regulations governing the importation of potatoes into the United States, issued by the Secretary of Agriculture, effective on and after April 15, 1944, is published for the information and guidance of collectors of customs and others concerned.

The number of this Treasury decision shall be inserted as a marginal reference for section 12.10, Customs Regulations of 1943.

W. R. JOHNSON,
Commissioner of Customs.

[Then follows the text of the amendment.]

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period April 1 to June 30, 1944, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband plant material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
Mrs. Dolores Verdugo Vda. de Rojo	Nogales, Ariz	20 mangoes	$1.00
Herbert E. McCuen	Brownsville, Tex	1 mango	1.00
Paula Rosales	do	2 mangoes	1.00
Jose Tamayo	do	1 orange	1.00
H. M. Munoz	do	2 avocados with seed	1.00
Delores H. Flores	Del Rio, Tex	24 pepper plants	1.00
Labrado Perez	do	2 oranges	1.00
Hortensia Alvarado	Eagle Pass, Tex	1 mango	1.00
Florencia Moncada	do	6 apricots	1.00
Francisco Lopez	do	1 mango	1.00
Maria Martinez de Hoyas	do	4 apricots	1.00
Sita Abigail Alvarez	do	1 mango	1.00
Rito Reyna	do	1 orange	1.00
Niria Perez de Guiterrez	do	7 figs	1.00
Francisca Gonzalez Marones	do	4 figs	1.00
Rafaela de Gonzales	do	1 fig	1.00
Carmen Mejia	do	1 mango	1.00
Carolina Azuna	do	2 mangoes	1.00
Clemencia Carrizal	do	1 orange	1.00
Julia Escobar	do	2 plums	1.00
Maria Dolores Medina	do	1 mango	1.00
Leoncio Cabrera	do	2 oranges	1.00
Edward Bingham	do	1 mango	1.00
M. V. Houston	do	12 oranges	1.00
Lucia Sanchez de McLemore	do	2 plants	1.00
Sofia Guerrero	do	do	1.00
Concepcion Betancourt	do	1 mango	1.00
Brigida Fina de Rodriguez	El Paso, Tex	5 mangoes	1.00
Jake Llitkzy	do	4 mangoes	1.00
Petra C. de Medrano	do	3 mangoes	1.00
Francisco Ramirez	do	do	1.00
Alfredo Vargas	do	1 mango	1.00
Concepcion Alvarez	do	5 mangoes	1.00
M. C. Ewen	do	2 mangoes	1.00
Mrs. Perullio	do	do	1.00
Barbara M. McKay	do	1 mango	1.00
Enedina Parra Vda. Solis	do	do	.50
F. Justus	do	5 mangoes	1.00
Irene Garcia Godoy	do	4 grapefruit and 7 oranges	1.00
Lorenzo Villanueva	Hidalgo, Tex	7 mangoes	2.00
Cruz Ramirez de Molina	do	1 plant	1.00
Maria Acevedo	do	1 mango	1.00
Refugio Savedra	do	8 sweet limes	1.00
Lorenzo Espinosa	do	1 mango	1.00
U. S. Wishard	do	2 mangoes	1.00
Maria Escamilla	do	1 orange	1.00
Tomasa Medina	do	1 plant	1.00
Soladad Ramos de Galvez	do	1 orange	1.00
San Juana Anzaldina	do	1 mango	1.00
Guadalupe Benito	do	do	1.00
Vicente P. Castaneda	do	5 mangoes	1.00
Cesaris L. Zamora	do	4 mangoes	1.00
Angelita Palomarez	do	2 peaches	1.00
Lucas Nieto	do	1 mango	1.00
Francisco Rodriguez	do	1 orange	1.00
Catalina Garcia	do	1 mango	1.00
L. M. Barron	do	2 mangoes	2.00
Benigno Ybarra	do	1 mango	1.00
Maria Lopez	do	do	1.00
Reyes Cabrero	do	6 mangoes	1.00
E. A. Rodriguez	do	5 mangoes	1.00
Teodora Torrez	do	2 mangoes	1.00
Zenadia Veloquis	do	1 mango	1.00
Tomasa Villescas	do	1 avocado	1.00
Helen Davis	Laredo, Tex	3 plants	1.00
E. J. Michner	do	3 oranges	1.00
Catarino Perez	do	3 mangoes	1.00

Name	Port	Contraband	Penalty
Santa Herrera	Laredo, Tex	2 oranges	$1.00
Petra Martinez	do	2 mangoes	1.00
Jose Guerro	do	12 bulbs	1.00
Daniel Ortiz	do	2 oranges	1.00
Frank Lujano	do	2 mangoes, 1 orange, 12 plants, and 5 plums.	4.00
Rosa Lujano	do	8 mangoes	2.00
Victoria Lujano	do	1 mango	1.00
Dionicio Cisneros	do	1 plant	1.00
Mrs. Lucila Garcia Moreno	do	3 mangoes	1.00
Mrs. Cielo Hernandez	do	1 orange	1.00
Elida Perez	do	2 peaches	1.00
Rodolfo Gonzalez	do	29 apricots	1.00
Carlota M. Palacios	do	3 mangoes	1.00
Arthur Blease	do	2 plants	1.00
Ignacio Perez	Roma, Tex	10 pomegranates	1.00

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